

USSN: 10/707,834

PATENT

Remarks

This is in response to the outstanding Office Action mailed September 28, 2004. Claims 1-21 are pending in the present application. In the Office Action, the Examiner rejected claims 1-21 under 35 USC 102 and objected to the Abstract. Applicant has amended claims 1, 8, and 15 and has provided a new Abstract. Applicant responds as follows:

35 USC 102

The Examiner rejected claims 1, 8, and 15 under 35 USC 102(b), as being anticipated by US Patent No. 6,141,488 issued to Knudsen. Claims 1, 8, and 15 are independent claims. The independent claims have been amended to state that at least one of the timeslots includes a user extended lead timeslot or a user extended trail timeslot. The remainder of the claims depend from the independent claims that have the above limitation. Therefore, claims 1-21 are in a condition for allowance because:

I.

Knudsen does not teach, describe, or suggest user
extended lead timeslots or user extended trail timeslots.

Even if Knudsen teaches receiving instructions to transfer timeslots to a storage device, those timeslots do not include user extended lead or trail timeslots. On the

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contrary, Knudsen suggests in Figures 4 and 5 how an automatically extended timeslot, might conflict with a core timeslot. See Figure 4 where timeslot 82 forces timeslot 84 (in the prior art) to start 3 minutes late. The solution of Knudsen is shown in Figure 5 where the conflict is solved by having timeslot 86 drop the 3 minutes after 4:00 in favor of recording timeslot 88.

The solution of Knudsen fails to teach, describe, or suggest the claims of the present invention because even if Knudsen defines various types of timeslots they are only core timeslots and automatically extended timeslots. Furthermore, Knudsen solves the problem in only one manner if an automatic solution is required, which is to drop the automatically extended timeslot.

The present invention, on the other hand, introduces the concept of additional types of timeslots for consideration when handling a conflict, namely user extended lead timeslots and user extended trail timeslots. These timeslots are distinct from the automatically extended timeslots shown in Knudsen. Such additional timeslots may attach to a recording request by a user of the present invention and may provide additional timeslots for the system to consider when resolving a conflict (please see Figure 8, for instance). For that reason, the claim 1, 8, and 15 are not anticipated by Knudsen and are in a condition for allowance.

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35 USC 103

The Examiner rejected claims 7, 14, and 21 under 35 USC 103 as being unpatentable over Kudsen, in view of US Patent No 6,233,389 issued to Barton. Applicant has amended independent claims 1, 8, and 15. Applicant argues that claims 1, 8, and 15, are in a condition for allowance. Claims 7, 14, and 21 depend from claims 1, 8, and 15. As such, claims 7, 14, and 21 are not obvious and are in a condition for allowance as well.

Conclusion

For the reasons given above claims 1 –21 are in a condition for allowance.

The Commissioner is hereby authorized to charge payment of any required fees associated with this Communication or credit any overpayment to Deposit Account No. 04-1175.


Respectfully submitted,

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